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OFFICE OF PETITIONS

In re Application of
Richard M. Timms
Application No. 10/035,802
Filed: November 9, 2001
Attorney Docket No. 1550-71b

ON PETITION

This is a decision on the petition under 37 CFR 1.137(b), filed January 29, 2004, to revive the above-identified application.

The above-identified application became abandoned for failure to reply in a timely manner to the Notice to File Missing Parts of Application (Notice) mailed January 30, 2002. The Notice set a period for reply of two (2) months from the mail date of the Notice. No extensions of time under the provisions of 37 CFR 1.136(a) were obtained. Accordingly, the above-identified application became abandoned March 30, 2002.

In response to the Notice to File Missing Parts, petitioner filed the instant petition claiming status as a small entity. Therefore, petitioner submitted with the instant petition \$665 for the petition to revive fee, \$385 for the filing fee, and \$65 surcharge for the late filing fee.

Since the requirements for a grantable petition have been met, the petition is **GRANTED**.

The application file is being forwarded to the Office of Initial Patent Examination for further processing.

Telephone inquiries concerning this decision should be directed to Andrea Smith at (703) 308-6711.

Andrea Smith
Petitions Examiner
Office of Petitions
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for Patent Examination Policy